

1 Thomas G. Foley, Jr., State Bar No.: 065812  
2 Justin P. Karczag, State Bar No.: 223764  
3 **FOLEY BEZEK BEHLE & CURTIS, LLP**  
4 15 West Carrillo Street  
5 Santa Barbara, California 93101  
6 Telephone (805) 962-9495  
7 Fax: (805) 965-0722  
8 [tfoley@foleybezek.com](mailto:tfoley@foleybezek.com)

6 Richard E. Donahoo, State Bar No.: 186957  
7 **DONAHOO & ASSOCIATES**  
8 440 W. First Street, Suite 101  
9 Tustin, California 92780  
10 Telephone (714) 953-1010  
11 Facsimile (714) 953-1777

12 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 GABE BEAUPERTHUY, et al.,

14 Plaintiffs,

15 v.

16 24 HOUR FITNESS USA, INC. a  
17 California corporation dba 24 HOUR  
18 FITNESS; SPORT AND FITNESS  
19 CLUBS OF AMERICA, INC., a California  
20 corporation dba 24 HOUR FITNESS,

21 Defendants.

Case No. C 06 0715 SC

**STIPULATION AND PROPOSED ORDER  
EXTENDING DEADLINE TO FILE  
OPPOSITION TO MOTION TO EXTEND  
DISCOVERY AND INCREASE THE NUMBER  
OF DEPOSITIONS**

COMPLAINT FILED: February 1, 2006  
TRIAL DATE: No date set.

22 **RECITALS**

23 A. Defendants have filed a motion to extend discovery and procedural deadlines and to  
24 increase the number of depositions (“the Motion”);

25 B. Since the filing of the Motion, Counsel for the parties have been engaged in  
26 telephonic and email communications regarding the Motion;

27 C. To allow Plaintiffs the opportunity to file an opposition to the motion, the parties  
28 agree that Plaintiffs shall have until Friday, October 2, 2009 to file an opposition to the motion.

1 **STIPULATION**

2 1. The parties hereby stipulate that Plaintiffs shall have until Friday, October 2, 2009 to  
3 file an opposition to the Motion.

4 **SO STIPULATED:**

5 Dated: September 30, 2009

**LITTLER MENDELSON, P.C.**

6  
7 By: \_\_\_\_\_/s/\_\_\_\_\_  
8 John C. Kloosterman  
9 Littler Mendelson, P.C., Attorneys for  
10 Defendant

11 Dated: September 30, 2009

**DONAHOO & ASSOCIATES  
FOLEY BEZEK BEHLE & CURTIS, LLP**

12  
13 By: \_\_\_\_\_/s/\_\_\_\_\_  
14 Richard E. Donahoo  
15 Thomas G. Foley, Jr.  
16 Justin P. Karczag  
17 Attorneys for Plaintiffs  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **~~PROPOSED~~ ORDER**

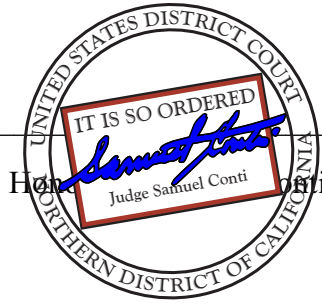
2 Upon reading the forgoing Stipulation, and good cause appearing, therefore,

3 IT IS ORDERED THAT,

4 1. Plaintiffs shall have until Friday, October 2, 2009 to file their opposition to  
5 Defendants' motion to extend discovery and procedural deadlines and to increase the number of  
6 depositions.

7 SO ORDERED.

8 Dated: October 8, 2009



12 Firmwide:92250565.1 034670.1216  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28